



## CITY OF ATLANTA


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MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-14-51 for 1400, 1406, 1410, 1418, 1424, 1430, 1436, 1442, 1446, 1452, 1456, 1460, 1470, 1471, 1477 La France Street, N.E. and 0 La France Street, N.E. (Parcel Number 15-209-01-153), 263 & 269 Whitefoord Avenue, N.E., and 256 Mayson Avenue, N.E.

**DATE:** April 2, 2015

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An Ordinance by Councilmember Natalyn Archibong to rezone from the C-1 (Community Business) District to the PD-MU (Planned Development –Mixed Use) District, properties located at 1400, 1406, 1410, 1418, 1424, 1430, 1436, 1442, 1446, 1452, 1456, 1460, 1470, 1471, 1477 La France Street, N.E. and 0 La France Street, N.E. (Parcel Number 15-209-01-153), 263 & 269 Whitefoord Avenue, N.E., and 256 Mayson Avenue, N.E.

### **FINDINGS OF FACT:**

- **property location:** The subject properties front approximately 520 feet on the north side of LaFrance Street and begins at the northwest intersection of LaFrance Street and Mayson Avenue. They are located in the Edgewood neighborhood of NPU O, Council District 5.
- **property size and physical features:** The subject properties of approximately 6.366 acres are currently developed as a surface parking lot for the Edgewood-Candler Park MARTA Station. Topography is relatively level throughout majority of the site however, topography begins to slope downward from the Hutchinson Street intersection towards Whitefoord Avenue. There are several mature trees that buffer the perimeter of the site. The site is surrounded by a chain link fence that is approximately 6 feet in height.
- **CDP land use map designation:** Current land use designation is High Density Mixed Use.
- **current/past use of property:** The properties have been used commercially to support the parking demands of the adjacent Edgewood-Candler Park MARTA station. Staff is unaware of any other uses.

- **surrounding zoning/land uses:** The subject properties are adjacent to properties zoned for commercial, industrial and residential purposes and are categorized as follows: C-1 (Community Business) to the east and west, I-1 (Light Industrial) to the north and R-5 (Single Family Residential) to the south.
- **transportation system:** The properties are adjacent to the Edgewood-Candler Park MARTA Station which provides transportation to the immediate area and throughout the city. Additionally, Whitefoord Avenue is collector street that is serviced by MARTA bus routes.

## **PROPOSAL:**

The subject properties have been addressed in several plans and studies that recommended the redevelopment of the southern parking lot of the Edgewood-Candler Park MARTA station. Each plan contemplated rezoning the subject properties to a zoning category that promotes a mixed use development, green space and the maintenance of MARTA bus operations.

***2007 Moreland Avenue LCI*** – contemplated the rezoning of the areas around the Edgewood-Candler Park MARTA station. The study called for the development of higher density housing, the reinforcement of mixed-use nodes and a four to six story multi-family development.

***2009 Edgewood Redevelopment Plan*** – included in this plan were specific recommendations related to the development of the subject properties such as: the construction a four to five story multi-family development, accessory commercial uses (restaurants/ professional services), 12,000 to 18,000 square feet of retail/office space, 80 parking spaces dedicated to MARTA parking and a bus pick-up/turnaround lane.

***2011 Edgewood Transit Oriented Development (TOD)*** – identified the Edgewood-Candler Park MARTA station as a “neighborhood station” which can be defined as a local station where most people arrive on foot. Furthermore the TOD established land use guidelines that should encourage mixed use development around “neighborhood stations” and specifically: multi-family residential and/or neighborhood scale mixed-use with retail, restaurant, and service oriented offices.

This proposal supports the aforementioned studies and plans which contemplated rezoning the subject properties from the C-1 zoning category to a mixed use zoning designation, which PD-MU provides. The proposal also provides conditions for consistency in streetscape and other design guidelines not addressed in the PD-MU regulations.

## **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed rezoning is compatible with the current land use designation of High Density- Mixed Use and will therefore not require an amendment to the Comprehensive Development Plan.

- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** Since the area has been an established mixed use (residential and commercial) corridor, water and sewage facilities serving the property are assumed to be adequate. However, the capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. At the time, tie-in to specific sewer lines would be determined, as well as any necessary improvements to that part of the sewer line that would lie within boundaries of the site.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** This proposal contemplates the rezoning of underutilized MARTA parking to a zoning category that supports the recommendations of several comprehensive plans/studies. Therefore, Staff is of the opinion that the request to rezone the subject properties would not create any issues that would negatively affect the balance of land uses in the area.
- 4) **Effect on character of the neighborhood:** The rezoning of the subject properties will not have any immediate effect on the character of the neighborhood. The recommended zoning would allow mixed uses and emphasize the creation of a unified pedestrian-oriented built environment that improves the appearance of streets, streetscapes and public facades which businesses, residents and property owner's desire. Additionally, the construction of a mixed use development on underutilized properties can only improve the surrounding neighborhood.
- 5) **Suitability of proposed land use:** The request to rezone the subject properties for the purpose of constructing a mixed use development would be compatible with surrounding zoning and land uses and is in accordance with the approved plans/studies for the area.
- 6) **Effect on adjacent property:** The rezoning of the subject properties will not have any immediate effect on adjacent properties. The proposed rezoning, once approved, will provide opportunities to redevelop the properties in accordance with more focused urban planning principles, thus a potential benefit and positive impact to adjacent properties.
- 7) **Economic use of current zoning:** The rezoning of the subject properties has the potential to increase the economic value of the properties because these zoning regulations allow for a mixed use development that will promote a more unified pedestrian and transit oriented built environment. The market value of properties in the district could only increase, whereas surrounding would also increase because of the opportunity for improved aesthetic of convenient and accessible goods and services.
- 8) **Compatibility with policies related to tree preservation:** It is noted that additional trees or recompense may be necessary to comply with the City of Atlanta Tree Ordinance. However, the applicant has confirmed that all policies related to tree preservation will be met. Additionally, Staff notes that the proposed regulations include the provision of street trees adjacent to the curb.

- 9) **Other considerations:** This proposed Edgewood-Candler rezoning is in keeping with the *Edgewood Redevelopment Plan* and builds upon other efforts in NPU-O and City of Atlanta to support a cohesive pedestrian friendly urban aesthetic including a mix of uses to serve the needs of the area while providing appropriate transitions from the surrounding residential neighborhoods. This is achieved here by the use of City adopted zoning regulations as well as a limited number of conditions to provide as properties are redeveloped consistent sidewalks, limit auto-centric uses, provide maximum heights and allow for future right-of-way improvements. This would eventually transform this traffic choked automobile-oriented predominately commercial area to a revitalized mixed use neighborhood with pedestrian-friendly streetscape to serve the public interest.

**STAFF RECOMMENDATION: APPROVAL OF A SUBSTITUTE ORDINANCE conditioned on the following:**

1. Site plan and elevations (site sections) entitled "Edgewood TOD", prepared by JHP, and dated 2/9/2015. Said site plan is hereinafter referred to as the Master Site Plan. Portions of the Master Site Plan area may be subdivided, even if the resultant parcels do not otherwise meet these requirements provided the Master Site Plan area conforms as a whole.
2. New streets must be provided in the general locations as shown on the Master Site Plan and may be public or private, at the discretion of the developer. Specific street design details, including the number of lanes, traffic flow, the location and type of parking, paving, curbing, radii, and similar features may be changed at the discretion of the developer, subject to approval of the Office of Transportation.

**Prohibited Uses and Structures**

3. The following uses and structures are prohibited:
  - a. Adult businesses.
  - b. Sales or repair of any motorized vehicle except motorized bicycles.
  - c. Plumbing, air conditioning service and repair.
  - d. Repair garages, paint and body shops.
  - e. Security storage centers.
  - f. Single-family and two-family dwellings and except where the dwelling is a live-work unit that contains at least 400 square feet of non-residential floor area.

**Development Controls**

4. Maximum permitted floor areas:
  - a. For nonresidential uses, floor area may not exceed four (4.0) times net lot area of the entire Master Site Plan.
  - b. For residential uses, Sector 5 in Table 1, "Land use intensity ratios" (section 16-08.007) applies to the entire Master Site Plan.

5. **Minimum non-residential floor areas:** The West Parcel and East Parcel must each include a minimum of 5,000 sf of non-residential floor area, for a total minimum of 10,000 sf for the Master Site Plan.
6. **Maximum Building Coverage:** Eighty-five percent of the net lot area.
7. **Side or rear yard:** No requirement.
8. **Lot size:** No requirement.
9. **No above-ground utilities or above-ground mechanical equipment** may be located in the Urban Plaza, except when such structures exclusively serve the Urban Plaza.

### **Sidewalks**

10. Sidewalks consisting of a street furniture and a tree planting zone and a clear zone must be installed as follows:
  - a. Along existing streets;
  - b. Along new streets, except that there is no requirement along sides of new streets abutting the Urban Plaza; and
  - c. With the minimum widths shown on the Master Site Plan.
11. Outdoor dining may encroach into the sidewalk clear zone a maximum of 2 feet provided the following criteria are met:
  - a. No permanent structure or ornamentation may be within the encroachment area and no element may be attached to the sidewalk in any way;
  - b. At such time as the outdoor dining is discontinued, sidewalks must comply with all requirements of these conditions; and
  - c. Outdoor dining may only be separated from the sidewalk with movable planters, fencing or similar non-fixed barriers that do not exceed a height of 36 inches including any plant material.
12. Street trees must be planted in the street furniture and tree planting and spaced per a maximum distance of 30 feet on-center. Newly planted trees must be a minimum of 3 inches in caliper measured 36 inches above ground, be a minimum of 12 feet in height, have a minimum mature height of 40 feet, and be limbed up to a minimum height of 7 feet. Trees must have a minimum planting area of 32 square feet. The area between required plantings must be planted with evergreen ground cover or hardscaped.
13. The street furniture and tree planting zone surface must be treated as follows:
  - a. Adjacent to on-street parking along LaFrance Street said zone must incorporate a continuous or intermittent hardscape area that permits pedestrian movement from the parked car to the sidewalk clear zone.
  - b. In all other locations said zone may be hardscaped or landscaped at the discretion of the developer.
14. Along LaFrance Street and Whitefoord Avenue, decorative pedestrian lights must be installed a maximum of 60 feet on center. Where a cobrahead light exists or is installed, such light may be considered a decorative pedestrian light for the purpose of satisfying this condition.

## **Supplemental Zone**

### **15. Supplemental zone general requirements:**

- a. Adjacent to sidewalk level residential units the supplemental zone must be landscaped with the exception of terraces, porches, stoops, and walkways, except as further restricted along LaFrance street by Condition 16;
- b. The finished grade of the supplemental zone may be raised up to 36 inches above the adjacent sidewalk, unless existing topography or existing retaining walls render this unreasonable, subject to Section 16-25.002(3) of the Zoning Ordinance; and
- c. All walls, except retaining walls, within the supplemental zone may not exceed 24 inches in height. Retaining walls in the supplemental zone may not exceed 36 inches in height unless existing topography requires a taller retaining wall.
- d. Fencing is permitted only when:
  - i. The supplemental zone is adjacent to sidewalk level residential units; or
  - ii. Said fencing separates authorized outdoor dining from the required sidewalk.

### **16. Along LaFrance Street porches and stoops may not be located in the required supplemental zone.**

## **Articulation Zone**

### **17. As used in these conditions, articulation zone means a horizontal area between the required supplemental zone and the building utilized to break-up the massing of the building façade through variations in setback, building design, and landscaping. Landscaping, stoops, porches, walkways, outdoor dining, bay windows, balconies, and conditioned building floor area may be located in the articulation zone.**

### **18. LaFrance Street and Whitefoord Avenue articulation zone requirements.**

- a. A 6-foot wide articulation zone is required as shown on the Master Site Plan.
- b. Between one-third and two-thirds of the area of the articulation zone must contain conditioned building floor area, porches, stoops, or balconies, as calculated separately per floor and per building.
- c. No façade in the articulation zone may extend more than 30 feet in length without providing a minimum 18-inch change in façade setback or incorporating of bay windows, projecting or recessed balconies, stoops, or porches into the façade design, as calculated per floor.

### **19. At the time of permitting, the developer must submit a worksheet and diagram to the Office of Planning demonstrating conformance with articulation zone requirements.**

## **Relationship of Building to Street**

### **20. Delineation of building floors up to the third story must be executed through windows, belt courses, cornice lines or similar architectural detailing.**

### **21. When a ground floor use or business is adjacent to a required sidewalk it must provide a pedestrian entrance which faces and is directly accessible from the required sidewalk.**

22. Along LaFrance Street the first 20 feet in ground floor depth of any building (including parking decks), as measured from the exterior wall abutting the required supplemental zone, may not be used for parking, loading, or storage.
23. Fenestration
- Retail and restaurant uses must comply with the following ground floor requirements:
    - The maximum length of a façade without fenestration or doors is 20 feet.
    - Fenestration must be provided for at least 75% percent of the exterior wall area, as calculated separately per building.
  - Other street-fronting sidewalk level uses and locations not identified in “a” above must provide fenestration for at least 30% percent of the exterior wall area, as calculated separately per building.
  - Fenestration may not use painted glass, reflective glass or other similarly treated or opaque windows. Glass doors may count towards fenestration requirements.
24. Buildings with ground floor residential level must comply with the following:
- All primary pedestrian entrances not adjacent to a sidewalk must link to the said sidewalk with a pedestrian walkway a minimum of 5 feet wide.
  - Buildings with more than four ground floor residential units adjacent to a sidewalk, supplemental zone, or articulation zone along a single street must have individual entrances to such units directly accessible from the closest sidewalk. Walkways providing this access must be perpendicular to the street, unless topography prohibits, and may be shared by two adjacent units.
25. Fences and walls must comply with the following:
- Fences along an existing public street may not exceed 42 inches in height, except where a lower height is required around outdoor dining by Condition 11.
  - Retaining walls adjacent to a sidewalk may not exceed a height of 2 feet and the combined height of a fence where otherwise authorized and retaining wall may not exceed a height of 5 feet, unless existing topography prohibits retaining walls of a lesser height. Retaining walls must be finished poured concrete or shall be faced with stone, brick or smooth stucco.
  - No walls, except retaining walls, may be located between the street and any building, with the exception of screening for authorized off-street loading areas.
  - New fences and walls along the railroad right-of-way may not exceed 6 feet in height.
26. No barbed wire, razor wire, chain link fence or similar elements may be visible from the Urban Plaza, ground level outdoor dining area, or public street.

### **Loading Areas, Loading Dock Entrances and Building Mechanical and Accessory Features**

27. Loading areas: Dumpsters and loading areas must be paved with impervious materials and must be screened from visibility from the Urban Plaza, ground level or sidewalk level outdoor dining area, or public sidewalk. Dumpsters and loading areas serving residential uses must also be enclosed with opaque walls 6 feet in height.
28. Loading dock entrances for non-residential uses must be screened so that loading docks and related activity are not visible from any public sidewalk.

**29. Building mechanical and accessory features:**

- a. Must be to the side or rear of the principal structure and be in the location of least visibility from a public sidewalk.
- b. Must be incorporated in the design of the building and screened with building materials similar to the building when located on a roof.
- c. May not be between a building and a public street with the exception of structures associated with electric, gas, telecommunication, or other utilities.

**Off-Street Loading and Parking**

30. There are no minimum required off-street loading requirements.

31. There are no minimum off-street parking requirements.

**Bicycle Facilities**

32. All non-residential uses that provide automobile parking facilities must provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 20 automobile parking spaces. Multi-family uses must provide said facilities at a ratio of at least one bicycle/moped parking space for every five multi-family units.

33. At least 50 percent of the required multi-family bicycle/moped parking spaces must be covered and must be located either within a parking garage or within locked room that is only accessible to residents and their guests.

**Architecture**

**34. General:**

- a. Exterior building walls, except adjacent to an interior courtyard, must be faced in masonry for 25 percent or more of their area. As used in this condition, masonry means a mineral-based materials such as terracotta, mortar, stone, or brick.
- b. Exterior walls may not be faced in in the following: exposed pressure-treated wood; vinyl siding; vinyl railing; and exterior insulation finished systems (EIFS).
- c. Any material not listed in "b" above is allowed.
- d. Foundations must be faced in masonry, stone, or tile. Foundations may be faced in two-coat or three-coat hard stucco if carried from the façade directly above. As used in this condition, foundation means the surface area of the exterior building wall below the lowest finished floor level.

**35. Balconies and Porches:**

- a. Railings must be made of painted wood, ornamental metal, or glass.
- b. Exterior columns must have a minimum width of 5 ½ inches.
- c. Exterior stairs may not be constructed of wood.
- d. Stoops must be a minimum of 4 feet wide. The does not apply to attached stairs.
- e. Stairs must have closed risers and ends.



**36. Residential Windows:**

- a. At least 50 percent of exterior residential windows and doors must be operable.
- b. Windows must include panes recessed a minimum of 2 inches from the exterior wall in which they are installed.
- c. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.

**37. Roofs:**

- a. Roofs must overhang by a minimum of 18 inches beyond the exterior wall; or
- b. Must have parapet walls screening the roof from view.

**38. Awnings and Canopies:**

- a. Awnings and canopies must be made of cloth, canvas or metal. When installed, awnings and canopies must be located above a window or door and their width may not be narrower than that of such window or door.
- b. Internally lit awnings and canopies are not allowed. Any illumination that is provided in conjunction with the awning or canopy must be directed downwards, not upwards towards the underside of the awning or canopy.

**Tree Preservation**

- 39. The developer must endeavor to incorporate at least one of the two existing trees at the south end of the Urban Plaza into the plaza design, provided it is deemed healthy by a certified arborist.**

**cc:** Charletta Wilson Jacks, Director, Office of Planning



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CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-04 for 504 Rankin Place, N.E.

**DATE:** April 2, 2015

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Legislation was introduced by Council member Kwanza Hall to rezone the subject property from the **R-5 (Two-family) residential** district to the **MR-3 (Multi-family Residential)** district to provide access to a new townhouse development on adjacent parcels at 471 and 495 Rankin Place. The Beltline overlay district for these properties remains in place.

#### FINDINGS OF FACT:

- Property location: the subject property is located on the north side of Rankin Street between Rankin Place and Arnold Street in the Old Fourth Ward Neighborhood of NPU-M, Council District 2. It is located in land lot 47 of the 14<sup>th</sup> District, Fulton County, Georgia.
- Property size and physical features: The parcel is approximately 0.09 acres (or 4,062 square feet) and relatively flat. The lot is vacant with a mature tree in the rear of the property. An alley abuts the eastern side property line.
- CDP land use map designation: The current land use designation is Low Density Residential (LDR). A CDP land use designation is required to change the zoning to allow for the proposed multi-family townhouse development.
- Current/past use of property: The area has historically been primarily residential in character. The subject property is currently a vacant lot.
- Surrounding zoning/land uses: Surrounding zoning includes R-5 (two-family) to the north, east and south of the subject property and RG-4 (west of Rankin Place). Adjacent land uses include single-family and two-family dwelling surrounding the property immediately to the

- 7) **Economic use of current zoning:** The current zoning does allow for redevelopment of the property for two-family dwellings, however, a zoning change to allow multi-family townhouses would be more appropriate to transition land uses from the Mixed-use medium density development along the Boulevard corridor and low density residential to the east. The zoning change would also serve as the economic catalyst to encourage further redevelopment in the neighborhood.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.
- 9) **Other Considerations:** The proposed townhouse development is consistent with *The Old Fourth Ward Master Plan* which recommends appropriately scaled infill housing to transition between Mixed-use medium density development along Boulevard and lower density residential development east of Boulevard. The new townhouse development will also serve to encourage the neighborhood's continued revitalization.

**STAFF RECOMMENDATION: APPROVAL subject to the following conditions:**

- 1) Maximum building height shall not exceed 40 feet.

cc: Charletta Wilson Jacks, Director



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CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

TO: Zoning Review Board

FROM: Brandy N. Crawford, Zoning Administrator, Interim 

SUBJECT: Z-15-005 for 3280 Howell Mill Road, N.W.

DATE: April 2, 2015

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An Ordinance to rezone from the **R-LC-C (Residential-Limited Commercial-Conditional)** District to the **R-LC-C (Residential-Limited Commercial-Conditional)** District for a change of conditions.

#### FINDINGS OF FACT:

- **Property location:** The subject property is located on the west side of Howell Mill Road, beginning approximately 1,257 feet north from the northwest corner of the intersection of Howell Mill Road and Margaret Mitchell Drive. Interstate 75 abuts the property on its western boundary. It is located within Land Lot 197 of the 17<sup>th</sup> District of Fulton County, Georgia, NPU-C (east of the boundary line with NPU-A) in Council District 8. The property is located within the Northside Parkway at I-75 Town Center Character Area.
- **Property size and physical features:** The subject property consists of a 4.02 acre (175,005 square feet) triangular shape parcel fronting approximately 522 feet on Howell Mill Road and 510 feet on Interstate 75. The property is developed with a four-story medical office building and a five-story parking deck. The topography slopes upward in a northerly direction from the south property line approximately 60 feet. There are a number of mature trees on the northern end of the lot and along the east and west property boundaries. The property is accessed by a driveway located between the office building and the parking deck. There is a second driveway that functions as exit only from the parking deck.

- **CDP land use map designation:** Future land use maps show a land use designation of Low-Density Commercial.
- **Current/past use of property:** The property was developed with the existing medical office building in 1974 after it was rezoned for such use in 1972. The 1972 rezoning case conditioned the approval on a site plan. Prior to the development the property was used as a landfill.
- **Surrounding zoning/land use:** Properties to the east and south are zoned O-I (Office-Institutional) District with a land use designation of Office-Institutional. To the east, they are occupied by a mixture of uses that includes residential, offices, medical, and drinking and eating establishments. The adjacent parcel to the south is vacant. To the north, properties are zoned C-1 (Community- Business) District with a land use designation of Low-Density Commercial. These properties are vacant. Interstate 75 abuts the property to the west.
- **Transportation system:** This section of Howell Mill Road is a major north/south collector. It is served by MARTA Bus Route 12. A bus stop is at the front of the subject property. Access to I-75, at the west, is within minutes by way of Northside Parkway located to the north.

## **PROPOSAL:**

This applicant proposes to amend the current site plan adopted as a condition of case Z-72-128 that regulates the zoning of the subject property. The applicant proposes to renovate the existing medical office building by constructing a new building entrance and adding surface parking on the north side of the property. The total floor area of the existing building would remain the same. There would be 43 new parking spaces.

### **Project Specifications:**

Net Lot Area:	175,005 square feet (4.02 acres)
Total Floor Area existing:	155,690 square feet
Total Floor Area proposed:	same
Parking required:	519 spaces (1 space per 300 square feet)
Parking existing:	564 spaces
Parking proposed:	607 spaces (43 new spaces)

## **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:**  
The comprehensive development plan designates the subject property as Low-Density Commercial; therefore, no amendment to the 15-year land use map will be required. The site is located within the Northside Parkway at I-75 Town Center Character Area which CDP policies are intended to maintain and enhance the vitality of the area by preserving and

restoring the existing buildings, promote a variety and diversity uses/quality businesses, and maintain and improve dilapidated structures. Therefore, the proposed development is compatible with the Comprehensive Development Plan. Staff is not aware of any public projects/programs to conflict with the proposed timing of development.

- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and surrounding uses indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and departments there would not be adequate public facilities and services at the subject location. At time of permitting the plans will be submitted to other agencies for permit review for compliance with applicable City codes.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** There is no negative impact on the balance of land uses. The application seeks to amend a previously approved site plan.
- 4) **Effect on character of the neighborhood:** The proposed site plan amendment would have a positive impact on the neighborhood's character. The proposed changes will improve the conditions of the existing building. The property will be more in-line with existing surrounding developments and it would contribute to the mixture of uses in the area; therefore, improving the stability of the area.
- 5) **Suitability of proposed land use:** A change in the 15-year land use map is not required.
- 6) **Effect on adjacent property:** Improvements of the property would have a positive effect on future development of adjacent vacant parcels to the north and south. An improved medical office building would only complement the existing residential and non-residential uses across Howell Mill Road.
- 7) **Economic use of current zoning:** The existing building on the subject property is not used to its full capacity because it is in need of repairs. Therefore, under the present conditions the property economic use is diminished. Approval of the requested site plan amendment and the subsequent improvements to the property will likely increase its economic value.
- 8) **Compatibility with policies related to tree preservation:** In order to accommodate the new design, a number of trees will have to be removed from the northern end of the site. At time of permitting, construction must comply with the City of Atlanta Tree Ordinance.

**STAFF RECOMMENDATION: APPROVAL subject to the following conditions:**

- 1) The Property shall be developed in accordance with the Site Plan prepared by MSTSD, Inc. dated 2/27/15 and stamped "received" by the Office of Planning on March 3, 2015.

cc: Charletta Wilson Jacks, Director, Office of Planning



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Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** U-15-002 for 320 Ashwood Avenue, S.W. (Parcel number 14 0090 LL021)

**DATE:** April 2, 2015

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The applicant seeks a **Special Use Permit** pursuant to Section 16-11.005 (1) (f) of the Zoning Ordinance to allow for a telecommunications facility (160-foot monopole and associated ground equipment) on the subject property.

### FINDINGS OF FACT

- **Property location:** The subject property is bounded by Ashwood Avenue (to the north), Pryor Road (to the east), Fair Drive (to the south) and Pickfair Way (to the west). It is located in the Lakewood Heights neighborhood of NPU-Y, Council District 12.
- **Property size and physical features:** The subject property is approximately 7.2177 acres (or 314,403 square feet). It is a vacant lot with mature trees, four billboards, and a gravel lot in the southeast corner of the parcel. The topography appears to be relatively flat with the exception of a stream that runs through the center (north-south direction).
- **Current/past use of the property:** The subject property is currently undeveloped, although it appears that the gravel lot in the southeast corner of the property is most likely used for parking for off-site concerts and events occurring at the nearby Aaron's Lakewood Amphitheatre. Staff is not aware of any past uses of the property.
- **Transportation system:** Ashwood Avenue, Fair Drive and Pickfair Way are classified as local streets and Pryor Road is classified as a collector street. The subject property is within a five minute drive to Langford Parkway and the I-75/85 access ramps. MARTA bus service runs by the property along Pryor Road and Ashwood Avenue.

## PROPOSAL:

The applicant, on behalf of Verizon Wireless, seeks a Special Use Permit to install a 160-foot monopole (150 foot tower with a 10 foot lighting rod) and associated ground equipment. The proposed lease area for the tower is approximately 6,000 square feet. Access to the tower site lease area will be provided from Fair Drive. A fence, seven (7) feet tall, would be installed around the perimeter of the tower compound. The proposed telecommunications facility is to provide coverage during concerts and special events taking place at Aaron's Lakewood Amphitheatre, as well as improved coverage to residents and commuters in the surrounding area. Verizon Wireless is entering into a five (5) year lease agreement with the property owner.

- **Ingress and egress:** Ingress and egress to the property will be provided via a 12 foot wide mulch driveway within a 30 feet wide easement extending from Fair Drive to the tower lease area.
- **Parking and loading:** The property will be unmanned and technician staff will visit the subject property as needed to conduct standard maintenance service to the facility. The mulch driveway will be sufficient to provide on-site parking and loading.
- **Refuse and service areas:** Since the facility is unmanned, the telecommunications tower and associated equipment will not be creating the need for disposal services.
- **Buffering and screening:** The lease area of the telecommunications facility will be located within an open area within the wooded lot, on the southern end of the property. Existing mature trees would surround the tower lease area on the north and west. Twelve Leyland Cypress are proposed as additional screening south and east of the leased area. No trees are proposed to be removed. The facility will be enclosed with a 7 foot tall chain link fence to secure the area.
- **Hours and manner of operation:** The proposed facility will operate unmanned 24-hours, seven days a week.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** The applicant has indicated that the required yards and open space are in compliance.
- **Tree Preservation and replacement:** The applicant does not intend to remove any trees. The applicant will comply with all tree removal and replacement requirements, should they arise, in accordance with the Tree Preservation Ordinance of the City of Atlanta.

## CONCLUSIONS:

1. **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress to the property will be provided via a 12 foot wide mulch driveway extending from Fair Drive. According to the applicant, the facility will be unmanned and



employees will visit the site as needed only for maintenance purposes. Thus the amount of traffic generated from the operations of the telecommunications equipment will have a negligible impact on the surrounding neighborhood to access to the site.

2. **Off-street parking and loading:** The actual maintenance operations will entail limited site visits. The driveway appeals to provide sufficient area for parking and loading on-site. Staff, however, recommends installation of a security gate at the driveway entrance to prevent public parking on the grass during Lakewood Amphitheatre concerts and other events.
3. **Refuse and service areas:** The telecommunications tower and associated equipment will not be creating the need for disposal services.
4. **Buffering and screening:** Based on field observations from staff there appears to be adequate screening with the existing mature trees on site, plus the 12 Leyland Cypresses proposed as additional screening on the southern and eastern boundaries of the lease area.
5. **Hours and manner of operation:** The facility will operate 24-hours, seven days a week. However, other than the monthly visits, it will be operating the majority of time without personnel and should therefore have a minimal impact on the surrounding residential neighborhood.
6. **Duration:** Staff is supportive of an indefinite duration.
7. **Compatibility with policies related to tree preservation:** The applicant has indicated that they would not be removing any trees, but will comply with the City of Atlanta's Tree Ordinance requirements should the need for tree removal and replacement occur.
8. **Required yards and open space:** As proposed, the required yards and open space appear to be met.
9. **Other Considerations:**
  - a) **Engineer Certification for Height of Tower (Section 16-25.002(3)(iv)(f)):**  
The Office of Planning has received a letter dated January 28, 2015 and stamped received on February 2, 2015 from Verizon Wireless documenting the minimum tower height requirements necessary to meet their coverage needs. The letter is from Gordon Eyre, a radio frequency engineer at Verizon Wireless.
  - b) **Tower Inventory (Section 16-25.002(3)(iv)(b)):**  
The Office of Planning has received inventory lists from the applicant showing the location of towers or structures owned by or leased by Verizon Wireless, Inc. The inventory shows that there are no other towers or structures owned by the applicant or the proposed carrier that would serve to meet the coverage needs for the target area. Furthermore, Staff has reviewed on-line aerial photographs of the area and there appear to be no towers or structures of sufficient height to meet the applicant's coverage needs within a half a mile of the subject property.

c) Coverage Maps (Section 16-25.002(3)(iv)(c)):

The Office of Planning has received coverage maps from the applicant illustrating the existing coverage gap without the proposed tower and the proposed coverage resulting from the installation of the new tower which would satisfy the coverage needs of the carrier Verizon Wireless.

**STAFF RECOMMENDATION: APPROVAL subject to the following conditions:**

- 1) Site Plan: Conditioned to the conceptual Overall Site Plan (sheet C-2) and the Landscape Plan (sheet L-1) prepared January 30, 2015 by Tower Source, Inc. and stamped received by the Office of Planning on February 2, 2015.
- 2) Tower Height: The height of the telecommunications monopole shall be limited to a total 160 feet.
- 3) Driveway entrance gate: Applicant shall install a gate at the driveway to secure the property and to prevent public parking on the grass during Lakewood Amphitheatre concerts and other events.

cc: Charletta Wilson Jacks, Director, Office of Planning



## CITY OF ATLANTA


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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** U-15-04 for 1685 Memorial Drive, S.E. (aka 225 Clifton Street)

**DATE:** April 2, 2015

**An to amend Ordinance 12-O-1603 (U-12-25) which granted a Special Use Permit for outdoor displays or sales area (i.e. outdoor private vending) pursuant to Section 16-11.005 (1)(c) for purposes of a change of conditions.**

The applicant needs time to submit additional materials to the Office of Planning and staff recommends a deferral.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL, MAY 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim *BC*

**SUBJECT:** Z-14-069 for 1734, 1742, 1748, 1754, 1762 and 1770 Moores Mill Road, N.W.

**DATE:** April 2, 2015

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The applicant seeks a rezoning of the property, from **R-4** to **PD-H**, in view of a new development composed of 14 single-family detached houses for the property located at **1734, 1742, 1748, 1754, 1762 and 1770 Moores Mill Road NW**.

Due to the fact that the applicant has re-submitted a revised rezoning site plan and also due to the nature of the existing conditions on site, in order to allow for another comprehensive review, Staff has recommended a 30 days deferral before disposition on the rezoning request.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL, MAY 2015**



KASIM REED  
MAYOR

**CITY OF ATLANTA**  
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CHARLETTA WILSON JACKS  
DIRECTOR, Office of Planning

**MEMORANDUM**

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim *BN*

**SUBJECT:** Z-14-39 for 410-418 Grant Park Place, 769-785 Cherokee Avenue, 421-423 Augusta Avenue, and 765-775 Harrison Place, S.E.

**DATE:** April 2, 2015 (Deferred September 8, 2014, February 5 and November 6, 2014)

The applicant requests a change in conditions for property zoned to the PD-MU (Planned Development-Mixed Use) District in April 2008.

**FINDINGS OF FACT:**

- property location: The subject property is located on the west side of Cherokee Avenue in the Grant Park neighborhood of NPU-W. It also has frontage on Grant Park Place and Augusta Avenue.
- property size and physical features: The property has a total area of 1.38 acres and is vacant but for two dwellings located on 410-412 and 418 Grant Park Place. An additional dwelling is under construction at 793 Cherokee Avenue. The private drive and utilities have been constructed. A few trees are located in the southeast corner of the property.
- CDP land use map designation: Low Density Residential
- current/past use of property: The entire site was originally developed for residential purposes. Sometime in the 1970s or 1980s a portion of the site was developed for commercial purposes and was the site of an eating and drinking establishment for many years. At some point in time Zoo Atlanta purchased the site and demolished the commercial structure.
- surrounding zoning/land uses: The subject property is surrounded on three sides by property zoned for two-family residential purposes with a land use designation of Low Density. Grant Park, Zoo Atlanta and the Cyclorama are located to the east directly across Cherokee Avenue.
- transportation system: Cherokee Avenue is classified as a north/south collector and all other surrounding streets are classified as local residential streets. Sidewalks are present throughout the area and MARTA bus route 32 serves the area.

In March of 2003 the Grant Park Neighborhood Association worked with the Georgia Quality Growth Partnership to conduct an analysis of the neighborhood. GQGP is a collaboration among

diverse public and private organizations that formed out of the desire to coordinate efforts at promoting 'quality growth' approaches throughout the State of Georgia. In the report they specify the subject property to have commercial uses. Furthermore, the applicant and the Grant Park Neighborhood Association and adjacent neighbors have been working for the past several months to revise the conditions put in place through ordinance 07-O-2596 for the subject property that all parties can support.

## **PROPOSAL**

The existing structure fronting on Grant Park Place remained and one of the proposed five (5) detached single-family homes has been constructed and one is under construction. Each of the single family dwellings may have a detached garage. The current plan provides for nine (9) townhomes, four that may have detached garages and a mixed use building that is proposed to be developed with a combination of commercial and residential uses or with commercial uses only. The development will be required to meet the Grant Park Historic regulations and will be reviewed by the staff of the Urban Design Commission for compliance. At this stage of development it is difficult to determine the actual floor area ratio and open space the project will have because the final design has yet to be determined. However, the maximum FAR permitted in a PD-MU development is 3.20 and with the proposed conditions and compliance with the Grant Park Historic regulations staff feels the scale of the project will be compatible with the neighborhood. No significant change in the development is being proposed only a change in certain conditions to allow more flexibility in the product mix of the development.

## **CONCLUSIONS:**

### **(1) Compatibility with comprehensive development plan (CDP); timing of development:**

The current zoning of PD-MU is compatible the existing land use designation of Mixed Use.

There are no public projects or programs with which the timing of the project would conflict.

### **(2) Availability of and effect of public facilities and services; referral to other agencies:**

Location of the site and current use of surrounding property indicates there are public facilities and services available to the subject property.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

### **(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

Because PD zoning is a site-specific zoning classification, there is not, nor would there be, other land in the immediate vicinity zoned for the proposed use. The proposed site is suitable for a mixed-use development as proposed and it is not necessary to consider the availability of other land.

**(4) Effect on character of the neighborhood:** The development should have a positive effect on the surrounding neighborhood by replacing vacant land with new housing and commercial uses.

**(5) Suitability of proposed land use:** No change in the land use is required.

**(6) Effect on adjacent property:** As noted above, the development should have a positive effect on adjacent by replacing vacant land with new housing and commercial uses.

**(7) Economic use of current zoning:** No change in the zoning classification is proposed only a revision to the conditions put in place through ordinance 07-O-2596.

II. The following findings are in accordance with Section 16-19.005(5) and 16.19B of the Zoning Ordinance of the City of Atlanta for Planned Developments.

**a. Suitability of the tract for the general type of PD zoning proposed.**

The subject property is a site that is suitable in location, area and character for development on a unified basis.

**b. Relationship to major roads and mass transit facilities, utilities, and other facilities and services.**

The subject property fronts on a road that is designated as a collector and the area is served by MARTA bus route 32 and sidewalks are found along both sides of Cherokee Avenue.

**c. Evidence of unified control.** The applicant has provided evidence that the property is under unified control.

**d. Suitability of proposed plan.** No change in the site plan is proposed, only a change in the conditions of zoning.

**e. Specific modifications.** No additional modifications have been made to the site plan under consideration.

**f. Suitability of maintenance program.** Provisions for maintaining the common areas, including open space and streets through an owners association to be formed and created under terms and provisions of an executed restrictive and protective covenants will be filed at the appropriate time.

**STAFF RECOMMENDATION:** Approval conditioned on the following:

1. The approved site plan for the development is site plan specific, as submitted to the Office of Planning and date stamped on September 6, 2013; recorded October 10, 2013 in plat book 368, page 17.

*The site plan will be comprised of three components. The descriptions in this section define the permissible scope of each of these components:*

- a. *Single Family Lots: The area comprising SF1-SF5 shown on the zoning plan are five (5) new single family lots, on each of which an attached or detached garage may also be built. The existing structure (1-story frame building) on the property shall not be removed.*

- b. Townhome Lots: The areas comprising Lot 4 – TH 1-3 shown on the zoning plan can be configured into five (5) detached house lots with attached or detached garages or two (2) buildings containing five (5) attached units and four (4) attached units, respectively. An attached or detached garage may be built on each of these interior lots.*
  - c. The Mixed-Use area (Lot 2 and Lot 3) shown on the site plan may have up to 7,500 SF of retail or commercial use on the ground floor, divided into single or multiple tenants. The divided first floor space does not need to align with the demising walls of the units on the upper floors. The remaining and internal programming may be divided into any combination of condominiums, retail, office or multifamily uses or some combination of these uses. Rental or leased units are permitted.*
- 2. In addition to restrictions on permissible commercial uses mandated by generally applicable city, county, and state zoning regulations, including the restrictions applicable to any property that is zoned PD-MU, the following commercial uses, as enumerated in Sec. 16-19B.003 and Sec. 16-19B.004 of the Atlanta Land Development Code (as amended), will be prohibited within the development: Adult businesses (see Sec. 16-19B.003(14)); Broadcasting towers (see Sec. 16-19B.003(15)); Hotels or motels (see Sec. 16-19B.003(10)); MARTA structures (excluding a bus stop) (see Sec. 16-19B.003(13)); Commercial drive-through facilities; Self-service laundries (see Sec. 16-19B.003(7)); Check cashing stores (see Sec. 16-19B.003(3)); Laboratories; Commercial energy generation devices (see Sec. 16-19B.003(3)); Bowling alleys (see Sec. 16-19B.003(12)); Theaters (see Sec. 16-19B.003(12)); Convention halls; Places of assembly (see 16-19B.003(16)); Pool halls (see Sec. 16-19B.003(12)); Billiard parlors (see Sec. 16-19B.003(12)); Amusement arcades (see Sec. 16-19B.003(12)); Game rooms (see Sec. 16-19B.003(12)); and Churches, synagogues, temples, mosques and other religious worship facilities (see Sec. 16-19B.003(16)); Package stores (see Sec. 16-29.001(44)).
- 3. *Two (2) off-street parking spaces will be provided for each single family home. The single-family lot on the corner of Cherokee Avenue and Grant Park Place shall be allowed to have a two-car garage that faces the half depth front yard. One (1) off street parking space will be provided for live work or town home units fronting Cherokee Avenue. However, any townhomes internal to the site or multi-family structures built on the site shall be required to provide parking as required by the Zoning Ordinance.*
- 4. A minimum 4-foot setback from the property lines shall be provided between the single family homes, including between the homes on the lots marked SF-1 and SF-2 on the site plan.  
  
*The rear yard setback for SF-1 through SF-5 may be up to zero feet and the setbacks for the units located in the townhomes area TH-1 and TH-3 may be up to zero along the internal alleys and green space.*
- 5. A minimum 4-foot setback from the property lines will be provided along the western property line, excluding the existing structure at 410-412 Grant Park Place. The setback, along the western property line will be landscaped with a street tree every 30 feet and a variety of shrub material.

Further, the applicant will hold a pre-construction meeting to consult with the Grant Park neighborhood on the landscaping as it affects the western property line. The applicant will provide the Bureau of Planning with a copy of the minutes of the meeting signed by the chair of the GPNA Land Use and Zoning Committee.



6. The internal alleys of the development will not connect to the existing alley. If a connection is requested at the southern-most internal alley, directly behind the existing structure, the required site plan revision request must be accompanied with a plan for improving the alley running parallel to and immediately west of the western property line. Any connection to the existing alley will be limited to emergency vehicles, using both appropriate signage and physical barriers to general access (e.g., ground cover landscaping; emergency access gate).

### ***Design/Elevation Conditions***

7. All designs for structures in the development will be submitted to the Urban Design Commission for a Certificate of Appropriateness, and will not exceed a height of 35 feet, *except as mentioned in Article 8 regarding the building design(s) for the structure(s) located in the Mixed-Use area on the zoning plan.* Facades facing interior alleys, the primary access, the secondary access, and the green space within the development will be treated as street-facing, for purposes of design compliance with Grant Park's historic zoning regulations, except as it pertains to garage doors throughout the development.

*The front stairs shall be centered on the front entryway. The design and configuration of site stairs, walkways and landings shall be based on the topography of the lot.*

8. *The Mixed-Use Structure(s) at the corner of Augusta Avenue and Cherokee Avenue will not exceed a height of 39.5 feet to the principal structure. The design of such building shall be consistent and compatible with the architecture of the contributing commercial or mixed use buildings in the historic district. Any parapets above the principal structure will not exceed a height of 2.5 feet. The Mixed-Use Structure will have a ground floor interior height between 11 and 17 feet. This is measured from the slab on grade finished floor height to the elevated finished floor height above.*

*Awnings and porches may be allowed on the exterior of the mixed-use buildings and may be allowed to protrude over interior alleys but must have a minimum height clearance of 10' from grade.*

9. The nine interior townhome *(or five detached)* units and the detached single family homes will be designed to be consistent with the historic architectural style of the Grant Park neighborhood and to comply with Grant Park's historic zoning regulations, and will not exceed a height of 35 feet.
10. The single family homes will be designed to be consistent with the historic architectural style of the Grant Park neighborhood and to comply with Grant Park's historic zoning regulations, and will not exceed a height of 35 feet.
11. All chimneys shall originate at grade and shall be faced with masonry (i.e., brick or stone), regardless of whether they are street-facing or face on the interior of the development.
12. Sec. 16-28A.001 through 16-28A.017 of the Atlanta Land Development Code (as amended) shall be followed, with the following additional conditions:

- a. No freestanding signs shall be allowed within the development; *other than traffic and street signs*;
- b. No portable signs shall be allowed within the development, except for chalk board menus and similar folding signs, displayed exclusively during business hours;
- c. Only building signs and business identification signs shall be allowed on the exterior of structures within the development;
- d. In addition to Sec. 16-28A.007(u), no neon lighting shall be allowed on the exterior of structures within the development; however, neon lighting shall be allowed in the interior and interior windows of structures within the development, but shall be no larger than three (3) square feet in area.
- e. In addition to Sec. 16-28A.007(i) and Sec. 16-28A.007(v), all signage on the property shall be historically consistent with the building to which they are affixed and with the Grant Park neighborhood, in both style and material. Signage lighting shall be overhead, down-facing lighting, and the lighting fixtures shall be historically consistent with the building to which they are affixed and with the Grant park neighborhood. The Urban Design Commission will determine that the signage and signage lighting meets this condition when a Certificate of Appropriateness is applied for and issued; and
- f. No product-based neon or internally illuminated signage shall be allowed on the exterior or displayed directly in the windows of structures within the development (e.g., Miller Beer signs).

#### ***Landscaping and Related Conditions***

13. No *vehicular* gates will be permitted in the development, and all fencing shall be consistent with the Grant Park historic neighborhood, and shall meet the standards set forth in Sec. 16-20K.007(15)(f) of the Atlanta Land Development Code (as amended).
14. There will be no monuments or monument signs on the property.

#### ***Miscellaneous Conditions***

15. Construction and construction-related deliveries shall take place only between 7:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 7:00 p.m. on weekends.
16. No moving of dirt or other use of heavy equipment shall take place on Sundays.
17. Wheeled garbage cans ("herbie curbies") will be used for the complete site. The townhome units, live-work units, condominium units, and commercial units will have interior pick-up sites. Private garbage pick-up will be utilized for the interior pick-up sites if Solid Waste Services of the City of Atlanta will not pick up from the interior locations. *There can be a privacy fenced area in the 3' landscape strip across from the Mixed-Use area on the zoning plan, which can be used to store "herbie curbies". It must match the existing privacy fencing, which it will be placed in front of to help keep the area not visible.*

18. The property will not have a separate name. The name will be the same as the neighborhood in which it is located.
19. A single homeowners' association will govern all townhome units, live-work units, and condominiums within the development, as well as shared green space and other common space management. A single homeowners' association, reciprocal easement agreement, or similar easement agreement will govern all detached single family homes within the development.
20. The front yard setback for the single family homes shall be a minimum of 10 ft. per the site design filed on 12-1-2005. Mixed Use building will have zero lot line setbacks per the site design filed on 12-01-2005.
21. All variances from the Grant Park historic regulations, including Urban Design Commission variances, will come back through the NPU process.
22. Residential units constructed for lease rather than sale, such as apartments, will not be permitted within the development, *except if located in the mixed use structure(s)*. This does not, however, preclude individual rentals of individually owned single family homes, townhomes, and condominiums within the development.
23. Any change to the approved site plan for the development, besides a minor change (as defined by Sec. 16-02.003 of the Atlanta Land Development Code (as amended), shall be submitted to the Grant Park neighborhood and NPU-W for review and approval, and shall not be administratively approved by the City of Atlanta Office of Planning until completion of such review.
24. *Existing sidewalks must be preserved to the extent possible. When replacement of existing sidewalks is required, the sidewalk replacement shall follow the requirements in Section 16-20K.007(2)(2) and (3).*
25. Any connection of the southernmost internal alley in the development, directly behind the existing structure, to the existing alley along the western boundary of the property will be limited to emergency use, and will not be accessible as a general means of entry into or exit from the development.
26. Retaining walls facing Grant Park Place, Cherokee Avenue, and Augusta Avenue, as well as the primary access and the secondary access, will not exceed a height of four (4) feet.
28. If the number of trees required by the Tree Preservation Plan cannot fit on the property, the remaining trees will be provided to the Grant Park Neighborhood Association, in lieu of a payment to the Tree Bank. Further, trees and shrubs planted within the development will be consistent with the Grant Park Master Plan, and consistent with the species found throughout the Grant Park neighborhood. The Grant Park Neighborhood Association will provide a copy of the Master Plan to the applicant.
29. Five (5) days prior to the submission of any application or petition for administrative approval or modification of the site plan, the property owner or applicant shall provide copies of the application or petition to the chair of the NPU-W Land Use & Zoning Committee. Contact information is as follows: *NPU-W Land Use & Zoning Committee Chair. Contact information stated on "NPU Contact List" at: [www.atlantaga.gov/government/planning/npu system.aspx](http://www.atlantaga.gov/government/planning/npu%20system.aspx)*

30. Five (5) days prior to the submission to the Urban Design Commission of an application or petition for a Certificate of Appropriateness, or of an application or petition to alter a previously approved design, for any structure to be constructed on the property, the property owner or applicant shall provide copies of the application or petition to the chair of the NPU-W Land Use & Zoning Committee. Contact information is as follows: *NPU-W Land Use and Zoning Committee Chair. Contact information stated on "NPU Contact List" at:*  
[www.atlantaga.gov/government/planning/npu system.aspx](http://www.atlantaga.gov/government/planning/npu system.aspx).

cc: Charletta Wilson Jacks, Director



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy Crawford, Zoning Administrator, Interim *BC*

**SUBJECT:** U-14-033 for 2041 Joseph E. Boone Boulevard, N.W.

**DATE:** April 2, 2015 (Deferred March 12, 2015)

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**The applicant seeks a Special Use Permit (SUP) for a personal care home for property located at 2041 Joseph E. Boone Boulevard.**

The applicant has requested a 60-day deferral to allow time to continue to meet with NPU-J.

**STAFF RECOMMENDATION: 60 DAY DEFERRAL—JUNE 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim *BNC*

**SUBJECT:** Z-14-042 for 3537, 3541, 3545, 3549, 3555 Roxboro Road, N.E.

**DATE:** April 2, 2015

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The applicant seeks a rezoning of the property, from **R-3** to **MR-3**, in view of a new development composed of 21-unit townhouse for the property located at **3537, 3541, 3545, 3549, 3555 Roxboro Road NE**

In order to allow the applicant for additional time to revise the proposed site plan, at the request of the applicant, Staff recommends a 30 days deferral, before disposition on the rezoning request.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL – MAY 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning



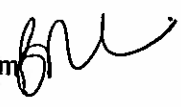
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CHARLETTA WILSON JACKS  
DIRECTOR, Office of Planning

**MEMORANDUM**

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-14-61 for 1099 North Avenue and 579 (rear) North Highland, N.E.

**DATE:** April 2, 2015 (Deferred January 8, November 13, 2014 and February 5, 2015)

The applicant requests to rezone property from the **R-4 (Single Family Residential)** district to the **MRC-3 (Multi Residential Commercial-Sector 3)** district for the development of fourteen (14) townhomes.

The applicant has requested an additional 30 day deferral to allow time to possibly revise the site plan based on Staff comments. Staff is supportive of the deferral request.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL—MAY 2015**

cc: Charletta Wilson Jacks, Director



## CITY OF ATLANTA


**KASIM REED  
MAYOR**

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**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** **Z-14-66 for 490 Bishop Street**

**DATE:** April 2, 2015 (Deferred from February 12, 2015)

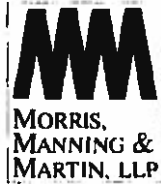
An Ordinance to rezone from the I-2 (Heavy Industrial) District to the MR-5A (Multi-family Residential) District, property located on a portion of 490 Bishop Street, N.W. and a portion of 1299 Northside Drive, N.W.

The applicant has requested additional time to resolve issues that are unrelated to zoning, but affect the site planning process.

**STAFF RECOMMENDATION: 60 DAY DEFERRAL- JUNE 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning





March 30, 2015

**VIA EMAIL (bcrawford@atlantaga.gov)**

City of Atlanta Office of Planning  
Attn: Ms. Brandy Crawford  
55 Trinity Avenue Suite 3350  
Atlanta, GA 30303

Jessica L. Hill  
404-504-7754  
jhill@mmmlaw.com  
www.mmmlaw.com

Re: Z-14-66 (the "Application")

Dear Brandy:

On behalf of the applicant, please accept this request to defer the Application from the April 2<sup>nd</sup> ZRB agenda for 60 days to the June ZRB agenda. A portion of the property included in the application is no longer a part of the development and additional time is needed to update the plan and meet with the community.

Best regards,

A handwritten signature in black ink, appearing to read 'Jessica L. Hill'.

Jessica L. Hill

cc: Ron Grunwald  
Nabil Hammam  
Bryan Condie  
Tshaka Warren  
Heather Correa